



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: )  
)  
Andrew McDONALD et al. ) Group Art Unit: 1625  
)  
Application No.: 10/622,363 ) Examiner: Raymond K. COVINGTON  
)  
Filed: July 17, 2003 ) Confirmation No.: 5365  
)  
For: COMPOUNDS, COMPOSITIONS, )  
AND METHODS )

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached Form PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed. English translations of the abstracts of the non-English documents are enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any further fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Lauren L. Stevens  
Lauren L. Stevens  
Reg. No. 36,691

# INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09367-0043-00000	Appln. No.	10/622,363
Applicant	McDONALD et al.		
Filing Date	July 17, 2003	Group:	1625

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue / Publication Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,434,296	Feb 28, 1984	Gammill			
	4,482,558	Nov 13, 1984	Richardson et al.			
	4,841,077	Jun 20, 1989	Ito et al.			
	4,900,727	Feb 13, 1990	Kattige et al.			
	4,904,690	Feb 27, 1990	Aono et al.			
	4,954,518	Sep 4, 1990	Takano et al.			
	4,977,162	Dec 11, 1990	Huang et al.			
	5,032,598	Jul 16, 1991	Baldwin et al.			
	5,082,849	Jan 21, 1992	Huang et al.			
	5,158,959	Oct 27, 1992	Geiger et al.			
	5,180,717	Jan 19, 1993	Gammill et al.			
	5,215,989	Jun 1, 1993	Baldwin et al.			
	5,284,856	Feb 8, 1994	Naik et al.			
	5,304,548	Apr 19, 1994	Gammill et al.			
	5,401,766	Mar 28, 1995	Geiger et al.			
	5,574,061	Nov 12, 1996	Shiota et al.			
	5,605,896	Feb 25, 1997	Leonardi et al.			
	5,607,928	Mar 4, 1997	Arnould			
	5,614,642	Mar 25, 1997	Tang et al.			
	5,703,075	Dec 30, 1997	Gammill et al.			
	5,714,142	Feb 3, 1998	Blaney et al.			
	6,028,088	Feb 22, 2000	Pershadsingh et al.			

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
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Examiner Initial*	Document Number	Issue / Publication Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,087,385	Jul 11, 2000	Pershad Singh et al.			
	6,545,004 B1	Apr 8, 2003	Finer et al.			
	6,545,005 B1	Apr. 8, 2003	Baxter et al.			
	6,559,145 B2	May 6, 2003	Ciske et al.			
	6,559,160 B1	May 6, 2003	Schall et al.			
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	US 2003/0055054 A1	Mar 20, 2003	Medina et al.			
	US 2004/0082638 A1	Apr 29, 2004	McDonald et al.			

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Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
198 50 131 A1	May 5, 2000	Germany			Abstract
0 099 172 A1	Jan 25, 1984	EPO			
0 341 104 B1	Nov 8, 1989	EPO			
0 366 061 A1	May 2, 1990	EPO			Abstract
WO 90/006921 A1	Jun 28, 1990	PCT			
WO 91/019707 A2	Dec 26, 1991	PCT			
WO 92/06086 A1	Apr 16, 1992	PCT			
WO 94/001434 A1	Jan 20, 1994	PCT			Abstract
WO 96/007409 A1	Mar 14, 1996	PCT			

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	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	WO 97/014419 A1	Apr 24, 1997	PCT			
	WO 98/013344 A1	Apr 2, 1998	PCT			
	WO 99/052890 A1	Oct 21, 1999	PCT			
	WO 00/026212 A1	May 11, 2000	PCT			Abstract
	WO 00/069827 A1	Nov 23, 2000	PCT			
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	WO 01/017988 A1	Mar 15, 2001	PCT			
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	WO 03/088903 A2/A3	Oct 30, 2003	PCT			
	WO 03/099211 A2	Dec 4, 2003	PCT			
	WO 03/105855 A1	Dec 24, 2003	PCT			

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	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	WO 03/106417 A1	Dec 24, 2003	PCT			
	WO 2004/004652 A2	Jan 15, 2004	PCT			
	WO 2004/006865 A2/A3	Jan 22, 2004	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	BERGNES et al., "Compounds, Compositions and Methods," U.S. Patent Application No. 10/959,610, filed October 5, 2004.
	EIDEN et al., "Xanthone aus Chromon-Derivaten," <i>Arch. Pharm. (Weinheim)</i> , 317/84: 539-547 (1984).
	LACOVA et al., "Evaluation of Effect of Microwave Irradiation on Syntheses and Reactions of Some New 3-Acyl-methylchromones," <i>Molecules</i> , 3: 120-131 (1998).
	OGAWARA et al., "Inhibition of Tyrosine Protein Kinase Activity by Synthetic Isoflavones and Flavones," <i>J. Antibiotics</i> , 42(2): 340-343 (Feb. 1989).
	Office Action mailed September 22, 2004, for U.S. Patent Application No. 10/412,712, filed April 11, 2003.

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